IN THE HIGH COURT OF JUDICATURE
FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR.

O R D E R

S.B. CIVIL WRIT PETITION NO.7207/2007.

Tasneem Khan
Vs.
State of Rajasthan & Ors.

Date of order : December 12, 2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Pawan Kumar Sharma for the petitioner.
Shri Harshvardhan Nandvana, Dy.GA.

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BY THE COURT:-

This writ petition has been filed with the innocuous prayer that the respondents be directed to issue her No Criminal Record Certificate which she requires for the purpose of acquiring Citizenship of Italy. The writ petition was filed on 5/9/2007. This Court issued notices to the respondents on 24/9/2007 and copy of writ petition was also additionally served on the learned Deputy Government Advocate present on that day. Rule was made returnable by 5/10/2007. On 5/10/2007, the matter was adjourned to 24/10/2007. On 24/10/2007 the matter could not reach. Thereafter, the matter was listed on

6/12/2007 and on that day, learned Deputy Government was directed to inform the court on the next date the reasons for not issuing the demanded certificate to her. With this direction, the matter was posted for 12/12/2007. This is how the matter is listed today and today also Shri Harshvardhan Nandvana, learned Deputy Government Advocate again makes a prayer for adjournment.

Learned counsel for the petitioner has argued that petitioner has married to Italian nationalist Mr.Hugo Starri. Her husband is presently in the country (India) and his Visa will be expiring in the month of January, 2008. It is contended that she require the “No Criminal Record Certificate” to hand it over to her husband so that when he goes to Itally, case of the petitioner for Italian Citizenship could be processed on that basis. An application was made to the Home Department of the State Government which has forwarded the same to Superintendent of Police Jaipur City North, Jaipur for necessary verification to find out whether or not any criminal case was ever registered against the petitioner. The petitioner is residing at 184A

Padmawati Colony, Kings Road, Ajmer Road, Jaipur. Even though there is no criminal case registered against the petitioner but because of the requirement of the rules, she needs the aforesaid certificate and respondents should be asked to expedite the same so as to enable her to handover the certificate to her husband who is shortly proceeding for Itally.

Inspite of the fact that number of opportunities have been granted to the State Government to state the reasons for not issuing such certificate to the petitioner, but neither any reply to the writ petition has been filed nor the learned Deputy Government Advocate is able to state the reason for the same orally in the court.

In the circumstances, therefore, it is considered appropriate to direct the respondents especially, the Secretary, Department of Home, Government of Rajasthan, Government Secretariat, Jaipur to issue the “No Criminal Record Certificate” to the petitioner within one month from the date copy of this order is produced before him or in case any criminal record/criminal case is found to have

been registered against the petitioner and for that respondents decides not issue to her, communicate the reasons therefor in writing to the petitioner within that time.

The writ petition is accordingly allowed though with no order as to costs.

(MOHAMMAD RAFIQ), J.

anil/-